## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			21-Apr-06	•	APPL. S. N:		10735541			
To Exami	ner:		DAVIDSON, DAN I.		Art Unit		2651			
From			Jefferson, Henry PARALEGAL SPCECIALIST	т	Return This Memo To: Cas Drop-Off Location	ie	JEF-2D68			
SUBJECT	r: Decisio	n on Terminal	Disclaimer(T.D.) filed:				•			
form para or have a	agraphs in Iny quest	dentified by thi	is informal memo in your se me or the Special Progr	next O	ffice action to notify applica aminer. THIS IS AN INFORM	int of the	ee, please use the appropriate he T.D. If you disagree ITERNAL MEMO ONLY. E. When your action is comple			
please ini	itial, date	and return thi	is memo to me. THANK Y	ου.	•					
V	The T.D.	is PROPER and	d has been recorded (see	14.23)						
	The T.D.	is NOT PROPE	R and has not been accep	ted for	the reason(s) checked belo	w (see	e 14.24):			
		The TD fee of use of a depos	J	ubmitte	d nor is there any authoriza	ition in	the application file for the			
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).								
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).								
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).								
		The person wi	no signed the T.D.:							
		is no	t an attorney "of record"	(see 1	4.29 and 14.29.01).		•			
		has t	failed to state his/her cap	acity to	sign for the business entity	y (see	14.28).			
		is no	t recognized as an officer	of the	assignee (see 14.29 & poss	sible 14	4.29.02).			
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).								
		The T.D. is no	t signed (see 14.26 & 14.	26.03)			•			
			nber of the application (or ction is missing or incorre		umber of the patent) which is $14.32$ ).	forms	the basis for the double			
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).								
		The period dis	claimed is incorrect or no	t speci	fied (see 14.26, 14.27.02 or	r 14.26	5.03).			
		Other:					<u>.</u>			
		Suggestion to and do not che	request refund (see 14.3 eck this item.	6). NO	TE: If already authorized, cr	redit re	efund to deposit account			
I have ap	propriate	ly notified app	licant(s) of the status of t	he Ter	minal Disclaimer filed in this	case.	•			
Ex.Initials	;:	Date	:				Log Date:			
				•						

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination BLAUM ET AL.						
Document Code - DISQ	Internal Do		cument - DO NOT MAIL						
TERMINAL DISCLAIMER	<b>⊠</b> APPROVE	ĒD .	□ DISAPPROVED						
Date Filed : April 12, 2006	This patent to a Te Discla	rminal							
Approved/Disapproved by:									
Henry D. Jefferson									
•			;						
<del></del>	<u> </u>		<u>-</u>	s					

U.S. Patent and Trademark Office

In re Application of:

APR 1 2 2006

Confirmation: 2719

Mario Blaum, et al.

Art Unit.: 2651

Serial No.: 10/735,541

Examiner: D. Davidson

Filed: 12/12/2003

Docket #: H\$J92003087US1

For:

SKEW-TOLERANT GRAY CODE FOR A MOVEABLE OBJECT

## CERTIFICATION UNDER 37 CFR § 1.8

April 7,2006

Tenance A. Meason

MAIL STOP: AMENDMENT Commissioner for Patents Box 1450 Alexandria, VA. 22313-1450

Sir:

## **TERMINAL DISCLAIMER**

HITACHI GLOBAL STORAGE TECHNOLOGIES-NETHERLANDS BV ("Hitachi") the owner of the entire right, title and interest in the instant application hereby disclaims the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term of prior U. S. Patent No. 6,885,321 as the term of the prior patent is defined in 35 U.S.C. 154 and 173, and as the term of the prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

13/2006 RMEBRRHT 00000004 302587 -10725541

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04/13/2006 RMEBRANT 00000050 502587

In making this disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of the prior patent is presently shortened by any terminal disclaimer", in the event that the prior patent later:

expires for failure to pay a maintenance fee:

is held unenforceable:

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I, Terrance A. Meador, am attorney of record, and I am authorized to sign this Terminal Disclaimer on behalf of the owner.

The Commissioner is authorized to charge Deposit Account #50-2587 in the amount of \$130.00 to cover the applicable large entity fee for a Terminal Disclaimer under 37 CFR 1.20(d).

Respectfully Submitted

TERRANCE A. MEADOR Reg. No. 30, 298

enance A. Mesolo

Date: April 7, 2006

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